

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DATA CARRIERS, LLC,

Plaintiff,

v.

BARNES & NOBLE, INC.,

Defendant.

C.A. No. 12-330-LPS

ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims by Plaintiff Data Carriers, LLC and Dismissal Without Prejudice of all counterclaims by Defendant Barnes & Noble, Inc. in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit by Plaintiff Data Carriers, LLC against Defendant Barnes & Noble, Inc. are hereby DISMISSED WITH PREJUDICE, and all counterclaims by Defendant Barnes & Noble, Inc. against Plaintiff are hereby DISMISSED WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled "SETTLEMENT AND LICENSE AGREEMENT" and dated February 27, 2013.

It is further ORDERED that all attorneys' fees, costs, and expenses are to be borne by the party that incurred them.

SO ORDERED this 5th day of April, 2013.


United States District Judge